

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BROWN & BROWN, INC.,	:	
BROWN & BROWN OF	:	
PENNSYLVANIA, INC. and GRINSPEC,	:	
INC.	:	
	:	CIVIL ACTION
Plaintiffs,	:	
	:	
v.	:	
	:	
ROBERT COLA, RYAN TOLA, and	:	NO. 10-3898
DOYLE ALLIANCE GROUP,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 13th day of *July*, 2011, upon consideration of Defendant Robert Cola's Motion for Leave to Amend Counterclaims Pursuant to Federal Rule of Civil Procedure 15(a)(2) (Docket No. 101) and the Response of Plaintiffs Brown & Brown, Inc., Brown & Brown of Pennsylvania, Inc., and Grinspec, Inc. (Docket No. 104), it is hereby **ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART**, as follows:

1. Defendant Cola's Motion for Leave to include a breach of contract action against Brown & Brown, Inc. and Brown & Brown of Pennsylvania, Inc. is **DENIED**;
2. Defendant Cola's Motion for Leave to include a claim for recovery of attorneys' fees pursuant to Section 35(a) of the Lanham Act is **GRANTED**.
3. Within fifteen (15) days from the date of this Order, Defendant Cola shall file an Amended Counterclaim reflecting the changes allowed and disallowed by this Order.

It is so **ORDERED**.

BY THE COURT:

s/ *Ronald L. Buckwalter*
RONALD L. BUCKWALTER, S.J.